United Nations A/71/398

General Assembly

Distr.: General
23 September 2016

Original: English

Seventy-first session
Agenda item 27
Advancement of women

Violence against women, its causes and consequences*

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonović, submitted in accordance with Assembly resolution 69/147.

* The present report was submitted late in order to include up-to-date information from Member States, United Nations organizations and non-governmental organizations.

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Report of the Special Rapporteur on violence against women, its causes and consequences

Summary

In the present report, the Special Rapporteur on violence against women, its causes and consequences provides an account of her activities since her previous report. Following a discussion on the adequacy of the international legal framework on violence against women, she presents responses received from regional mechanisms and the Committee on the Elimination of Discrimination against Women following her call for input on the issue. She addresses the topic of femicide, or the gender-related killing of women, and proposes the establishment at the global, national and regional levels of a "femicide watch" and observatories on violence against women.

I. Introduction

1. The Special Rapporteur on violence against women, its causes and consequences, Dubravka Šimonović, submits the present report pursuant to General Assembly resolution 69/147. In section II, she summarizes the activities carried out since her previous report to the General Assembly, up to July 2016. In section III, she provides an update on the consultations that she led with regional mechanisms and the Committee on the Elimination of Discrimination against Women on the adequacy of the international framework on violence against women. In section IV, she addresses the topic of femicide, or the gender-related killing of women, and proposes the establishment at the global, national and regional levels of a "femicide watch" and observatories on violence against women.

II. Activities

A. Country visits

2. The Special Rapporteur visited South Africa from 4 to 11 December 2015 (see A/HRC/32/42/Add.2) and Georgia from 15 to 19 February 2016 (see A/HRC/32/42/Add.3). She thanks the Governments of those countries for their cooperation before and during the visit. She also thanks the Governments of Argentina, Australia, Bulgaria and Israel, which have accepted her requests to visit.

B. Reports to the Commission on the Status of Women and to the Human Rights Council

3. On 14 March 2016, the Special Rapporteur participated in the sixtieth session of the Commission on the Status of Women. She presented an oral statement in which she outlined her priorities for the mandate and, at the invitation of the Commission, made concluding remarks at the end of the examination of the review theme on the elimination and prevention of all forms of violence against women and girls. She also participated in a number of side events during the session.

4. In June 2016, she submitted her first report to the Human Rights Council (A/HRC/32/42). In that vision-setting report, she outlined her priorities for the mandate on which she intended to focus during her tenure and highlighted that she would also focus on the issue of violence against women in politics. She also participated in a number of side events during the session.

C. Participation in conferences and consultations

5. The participation of the Special Rapporteur in conferences and consultations for the period from August 2015 to March 2016 is outlined in her report to the Human Rights Council in June 2016 (A/HRC/32/42).

6. At the invitation of the Inter-American Commission on Human Rights, the Special Rapporteur attended its 157th regular session, held in Washington, D.C., from 7 to 9 April 2016. She participated as an independent expert in a hearing relating to the follow-up on the report of the Commission on missing and murdered

indigenous women in British Columbia, Canada. She also participated in a regional consultation on enhancing cooperation in the Americas and delivered a keynote address at the launch of the report of the Commission on the criminalization of the work of human rights defenders.

7. The Special Rapporteur participated in a forum for global women leaders, held in Sofia on 20 May 2016 and organized jointly by the United Nations Educational, Scientific and Cultural Organization and the Council of Women of Business in Bulgaria, speaking on the issue of women and peace and security and development.

8. On 23 May 2016, the Special Rapporteur participated in the twenty-fifth session of the Commission on Crime Prevention and Criminal Justice, in Vienna, and delivered opening remarks on future cooperation. She also participated in a panel on girls fleeing conflict, terror, catastrophes and the perils of flight organized by the Academic Council on the United Nations System.

9. The Special Rapporteur, with the support of the London School of Economics, convened an expert group meeting on femicide on 1 June 2016 aimed at collecting input for the present report.

10. During the twenty-second annual meeting of special rapporteurs/representatives, independent experts and working groups of the special procedures of the Human Rights Council, held on 9 June, the Special Rapporteur and the Special Rapporteur on the situation of human rights defenders co-hosted a dialogue on women human rights defenders. On 10 June, both she and the Independent Expert on the promotion of a democratic and equitable international order participated in a working lunch on violence against women in politics.

11. At the thirty-second session of the Human Rights Council, the Special Rapporteur presented her first vision-setting report, the reports on her official visits to South Africa and Georgia and the report of her predecessor on her visit to the Sudan (A/HRC/33/42/Add.1). She also participated in a panel on violence against indigenous women and girls and its root causes, which was organized as part of the annual full-day discussion on the human rights of women, and in a number of activities and side events, including a side event on women human rights defenders, a discussion on online violence against women and a panel discussion on preventing and responding to violence against indigenous women. In addition, she held numerous bilateral meetings with State representatives and met the Secretary-General of the Inter-Parliamentary Union, survivors of violence and representatives of several regional groups, civil society organizations and the Committee on Economic, Social and Cultural Rights.

12. The Special Rapporteur delivered a statement in Vienna on 22 July 2016 during the high-level opening panel of the conference on combating violence against women in the Organization for Security and Cooperation in Europe region.

13. The Special Rapporteur spoke at a conference held in Pachuca, Mexico on 26 and 27 July 2016 on the regional exchange of good practices on the challenges and struggles in combating violence against women.

III. Debate surrounding the adequacy of the legal framework on violence against women: view from international and regional mechanisms

14. In the light of the two reports submitted by her predecessor on the need for a legally binding United Nations convention on violence against women and girls, and keen to follow up on that discussion, the Special Rapporteur decided to invite the regional human rights mechanisms and the Committee on the Elimination of Discrimination against Women to provide their views on the adequacy of the current legal framework on violence against women.[1] The responses received are summarized below.[2]

A. Committee on the Elimination of Discrimination against Women

15. On the question of the need for a United Nations convention on violence against women, the Committee[3] considers that, although the Convention on the Elimination of All Forms of Discrimination against Women does not explicitly have a provision on gender-based violence against women, its general recommendation No. 19 (1992) on violence against women became a source of and inspiration for various international and regional documents, including the Declaration on the Elimination of Violence against Women. As the Committee's authoritative interpretative tool, general recommendation No. 19 reflects the Committee's position that violence against women constitutes gender-based discrimination in the meaning of article 1 of the Convention. Since its adoption in 1992, States parties have not challenged the validity or competence of the recommendation. In both constructive dialogue with States parties and the procedures under the Optional Protocol to the Convention, the Recommendation has been frequently referenced by States parties, Committee members and other stakeholders, including civil society organizations. It should be noted that, under the recommendation in conjunction with articles 1, 2 and 5 of the Convention, redress for alleged violations has been adequately addressed by the Committee. Therefore, it is the Committee's view that the Convention has a provision on gender-based violence against women in its present form. The Committee also indicates that it is currently working on updating the recommendation through the codification of positive developments that have happened since its adoption and that the updated recommendation will be adopted by the end of 2016. In addition, in the light of the current process of strengthening and reform of the treaty bodies as a whole, the Committee underscores that the

[1] The Committee and the following regional mechanisms replied to the questionnaire transmitted by the Special Rapporteur: the group of experts of the Council of Europe on action against violence against women and domestic violence, the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children, the Inter-American Court of Human Rights, the committee of experts on the follow-up mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the Special Rapporteur on the Rights of Women in Africa and the Working Group on the issue of discrimination against women in law and in practice.

[2] The full text of the responses is available from www.ohchr.org/EN/Issues/Women/SRWomen/Pages/InternationalLegalFramework.aspx.

[3] The Chair consulted the entire Committee and indicated that her response represented its majority view.

fragmentation of policies and legislation at the United Nations level should be avoided and that a new instrument and its new monitoring body would certainly increase the burden on States parties and reinforce the trend of fragmentation. The creation of a new convention is contradictive from the viewpoint of States parties that have urged the Committee to streamline its activities. On a positive note, the mainstreaming of gender into the United Nations human rights mechanisms, especially in other treaty bodies, is noted. Many of the treaty bodies now have general comments relating to gender, which refer to gender-based violence against women, such as general comment No. 28 (2000) on the equality of rights between men and women (article 3 of the International Covenant on Civil and Political Rights) of the Human Rights Committee. By looking comprehensively into the collective jurisprudence, it can be concluded that the United Nations human rights mechanism has been well equipped with the necessary instruments. Attention is also drawn to the current economic atmosphere, which has a negative impact in many parts of the world. Given that many States parties are grappling with cuts to social programmes, including those for combating violence against women, the Committee is of the view that it is not an appropriate time to propose a new convention.

16. On measures to accelerate the prevention and elimination of gender-based violence against women, the Committee indicates that it will provide a comprehensive answer in its new updated version of general recommendation No. 19, the first draft of which will be made public shortly. The Committee will emphasize the importance of collecting data on and monitoring the situation of violence against women, adopting laws and policies that reflect developments with regard to violence against women by increasing women's participation in decision-making bodies and reinforcing women's access to justice for substantive redress. Such measures should be country-specific. The Committee addresses these issues in its engagement with States parties through its lists of issues, constructive dialogue and its recommendations on gender-based violence against women in every set of concluding observations.

B. Committee of experts on the follow-up mechanism to the implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women and the Inter-American Court of Human Rights

17. The committee of experts on the follow-up mechanism to the implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women considers that the adoption, in 1979, of the Convention on the Elimination of All Forms of Discrimination against Women reflected a new international model of respect for women's human rights, with its own monitoring mechanism, and that the creation of a protocol should be supported, as a supplementary instrument to the Convention because it would strengthen the work already done by the members of the Committee on the Elimination of Discrimination against Women and promote the Inter-American Convention and the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) without weakening the implementation of those treaties. Furthermore, it would not contravene the provisions of other regional conventions on the same issue. The committee of experts indicates that, in 2014, Italy signed the Inter-American Convention before the entry into force of the

Istanbul Convention and that, therefore, the signing and ratification of other regional conventions on violence against women are another mechanism to strengthen State obligations and raise them to the international level. The adoption, in the inter-American region, of the Inter-American Convention and the subsequent establishment of the committee of experts brought the problem of violence against women to the forefront of international debates on human rights for the first time. To achieve the same impact at the global level, the committee of experts proposes to support the creation of a protocol as a supplementary instrument to reinforce and promote what was already established under the Convention on the Elimination of All Forms of Discrimination against Women. By incorporating the principle of supplementarity into the text itself, protocols establish the obligation of States parties to enact legislation to control violence against women on the basis of the important international conventions already approved, as has occurred with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Approval of the protocol would strengthen the work done by the Committee on the Elimination of Discrimination against Women, especially its general recommendation No. 12 (1989) on violence against women and No. 19; the provisions of the Declaration on the Elimination of Violence against Women; the Beijing Declaration and Platform for Action; and the work of the Special Rapporteur on violence against women, its causes and consequences, who has the mandate to investigate and report on all aspects of violence against women. It will also promote the Inter-American Convention and the Istanbul Convention, without weakening the implementation of those treaties and without contravening the provisions of other regional conventions on the subject. The committee of experts notes that it is working on a draft model comprehensive law for the prevention, punishment and eradication of violence against women for 2017.

18. The Inter-American Court of Human Rights stresses the importance of dialogue with special procedures mechanisms in order to strengthen the development and effective implementation of human rights standards around the world. It recalls the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women and indicates that, in several judgments, it has reiterated its compulsory jurisdiction to address violations of article 7 of the Inter-American Convention regarding the protection of women from violence. The Court notes that it has developed a significant body of case law of all forms of violence against women and relevant international standards on sexual violence, as well as on violence against women as a form of torture. It also provides, as an addendum, a list of its relevant judgments on gender issues.

C. Group of experts of the Council of Europe on action against violence against women and domestic violence

19. The group of experts of the Council of Europe on action against violence against women and domestic violence, which has recently been set up and is yet to begin evaluating the level of implementation of the Istanbul Convention, recalls the three regional instruments on violence against women and women's rights, namely, the Inter-American Convention on the Prevention, Punishment and Eradication of

Violence against Women, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa and the Istanbul Convention, that are open for accession to non-member States or for use as an source of inspiration. The group of experts indicates that the development of any new global and legally binding treaty on violence against women would entail the risk of bringing about possible conflicting treaty obligations with the existing regional instruments and may also result in diluting existing standards. It calls attention to the Convention on the Elimination of All Forms of Discrimination against Women and general recommendation No. 19 of the Committee on the Elimination of Discrimination against Women. It considers that the creation of another global convention on violence against women would be likely to entail inconsistent or even conflicting standards in the area and that the creation of an additional monitoring body would add to the monitoring fatigue of States parties. The group of experts stresses the current international political climate and economic situation, which are not conducive to the drafting of an additional instrument on women's rights, and that creating such an instrument would pose the risk of falling behind the existing standards established by the Committee on the Elimination of Discrimination against Women and its general recommendation No. 19, let alone more advanced standards set out in the Istanbul Convention. It believes that the introduction of another instrument at this stage, albeit at the global level, would be premature and pose a challenge to the implementation of existing norms and standards. Priority should be accorded to ensuring the full implementation of the treaties and other instruments that already exist, rather than creating new standards.

D. Association of Southeast Asian Nations Intergovernmental Commission on Human Rights and the Commission on the Promotion and Protection of the Rights of Women and Children

20. The Association of Southeast Asian Nations (ASEAN) Intergovernmental Commission on Human Rights considers that there is no need for a separate legally binding treaty on eliminating violence against women. The ASEAN Commission on the Promotion and Protection of the Rights of Women and Children believes that it is not necessary to have a separate legally binding treaty focused on violence against women with its own monitoring body because of the existence of the Convention on the Elimination of All Forms of Discrimination against Women and general recommendation No. 19 and that, therefore, it would compete for attention and resources. The Commission on the Promotion and Protection of the Rights of Women and Children indicates that reporting to another monitoring body would constitute an additional burden on Governments in terms of resources. It also considers that violence against women should not be isolated in terms of its sociocultural, economic and political-security contexts. It notes that the consolidation and institutionalization of the Convention would be the best strategy, instead of imposing another treaty that might undermine the power and authority of the Committee on the Elimination of Discrimination against Women.

E. Special Rapporteur on the Rights of Women in Africa

21. The Special Rapporteur on the Rights of Women in Africa considers that, in theory, an international treaty on violence against women is needed, but that some

counterarguments should be taken into account. Prime among them is that the real challenge in dealing with the issue of violence against women does not lie in legal inadequacies but rather in implementation. Another argument against a global treaty on violence against women is that some regions, including the Americas, Africa and Europe, could rightfully claim that there is no normative gap. In this regard, a campaign to develop, ratify and implement an additional treaty mechanism would divert efforts and resources that would be better spent on strengthening the existing regional systems of protection. Such an objection can be countered, however, by the fact that Asia and Oceania do not have the benefit of regional protection, yet very grave manifestations of violence against women occur in the Arab, Asia and Oceania regions in general. The Special Rapporteur considers that the adequacy of the legal framework on violence against women is highly nuanced, but that a global treaty would certainly neither impede nor nullify progress in the elimination of violence against women and that, were careful formulation and strategy employed, it could result in gains for the increased protection of women. She also considers that, if a global treaty on violence against women prescribed clear and legally binding enforcement mechanisms at both the international and national levels, it could create some useful harmony to address the fragmentation of policies and legislation to address gender-based violence.

F. Working Group on the issue of discrimination against women in law and in practice

22. The Working Group on the issue of discrimination against women in law and in practice believes that it is neither necessary nor feasible at the present time to invest energy and resources in the development of a new stand-alone convention on violence against women. It would instead be advisable to invest the limited resources available in measures to strengthen existing mechanisms. The Working Group notes that the Committee on the Elimination of Discrimination against Women addresses the issue of violence against women systematically in all its constructive dialogues with State parties, which are subsequently reflected in its concluding observations. In addition, general recommendation No. 19 of the Committee has provided effective international substantive and normative guidance on the issue. Updating it would present a valuable opportunity to strengthen that guidance. The Working Group is of the view that transforming the recommendation into a legally binding protocol could be, at some point and resources permitting, a welcome development.

G. Conclusion

23. The Special Rapporteur on violence against women, its causes and consequences believes that the views of and input from the international and regional mechanisms on the adequacy of the international framework on violence against women have provided the international community with additional information and assessments on the basis of experience gained by these mechanisms in monitoring the implementation of global and regional instruments on violence against women.

24. During the thirtieth session of the Human Rights Council, the Special Rapporteur invited all other stakeholders, including States, non-governmental organizations, other special procedures mandate holders and treaty bodies, national human rights institutions and members of academic institutions, to send their views and input in response to a call for submission in that regard on her official web page.[4] After receiving their responses, a comprehensive assessment of the adequacy of an international framework and action needed on violence against women can be made.

IV. Thematic focus: modalities for the establishment of femicide or gender-related killings watch

A. Introduction: the call for the establishment of a femicide watch

25. The Special Rapporteur has defined femicide, or the gender-related killing of women, as the killing of women because of their sex and/or gender. It constitutes the most extreme form of violence against women and the most violent manifestation of discrimination against women and their inequality.[5]

26. The issue of femicide has received serious attention since the establishment of the mandate of the Special Rapporteur. It is examined systematically during country visits. In 1995, the Special Rapporteur presented a thematic report on violence in the family to the Commission on Human Rights, in which it was highlighted that the dominance of a familial ideology entrenched women's roles as wives and mothers and impeded them from gaining access to non-traditional roles and exposed women who did not fit within or ascribe to traditional sex roles to gender-based hate crimes. The Special Rapporteur emphasized that such an ideology legitimated violence against women, including honour killings and other forms of femicide (see E/CN.4/1999/68). In 2002, the Special Rapporteur presented a thematic report on cultural practices in the family that were violent towards women, referring to honour killings, and noted that those types of crimes were carried out by husbands, fathers, brothers or uncles, sometimes on behalf of tribal councils (see E/CN.4/2002/83). The Special Rapporteur organized an expert meeting on the gender-motivated killing of women in New York in 2011 in order to consolidate and build on national, regional and international expertise with regard to the manifestations and root causes of and State responses to gender-motivated killings of women, discuss policy, legal and institutional challenges at the national, regional and international levels and identify good practices and lessons learned in that regard in various regions (see A/HRC/2016/Add.4). The 2012 thematic report of the Special Rapporteur to the Human Rights Council was focused on the issue of the gender-related killing of women (see A/HRC/20/16).

27. The gender-motivated killing of women is a clear violation of women's rights, including the right to life, freedom from torture and to a life free from violence and discrimination. It is a global phenomenon that takes place in both the private and public spheres and results from, among other things, intimate partner violence, armed conflict, dowry disputes and the protection of family "honour". The gender-

[4] See www.ohchr.org/EN/Issues/Women/SRWomen/Pages/InternationalLegalFramework.aspx.

[5] For the purpose of the present report, the terms "femicide" and "gender-related killing" are used interchangeably.

motivated killing of women is often the final and most serious consequence of pervasive discrimination, in particular acts of violence.

28. In the 2012 thematic report, the Special Rapporteur drew attention to the fact that the gender-related killing of women was not an isolated phenomenon that had arisen suddenly and unexpectedly but was instead the final stage of violence after an extended and ignored continuum of violence that had progressively escalated. In the report, it was noted that the prevalence of such killings was increasing globally.

29. The current Special Rapporteur has decided that one of her immediate priorities is the prevention of femicide and the use of data on violence against women as a tool to that end (see A/HRC/32/42). On 25 November 2015, to mark International Day for the Elimination of Violence against Women, she called upon all States to establish a femicide watch or a "gender-related killing of women watch".[6] She proposed that data on the number of femicides or cases of the gender-related killing of women, disaggregated by the age and the ethnicity of victims and the sex of the perpetrators and indicating the relationship between the perpetrator and the victim or victims, should be published annually, on 25 November, along with information concerning the prosecution and punishment of perpetrators. Given the shortcomings of many national prevention systems, the lack of reliable data and risk assessments and the consequent misidentification, concealment and underreporting of gender-related killings, including of women belonging to ethnic minorities, the proposal would facilitate the collection of crucial information for the development of effective strategies to address this serious human rights violation. Each gender-related killing of women should be analysed carefully to identify any failure of protection, with a view to improving and developing further preventive measures. In the collection, analysis and publication of such data, States should cooperate with non-governmental organizations and independent human rights institutions working in the field, representatives of victims and other relevant international organizations and stakeholders.

30. Building on work and action undertaken at the international, regional, national and local levels, the Special Rapporteur proposes the adoption of a flexible methodology that would be workable for all States to assist them in establishing a femicide watch or gender-related killing of women watch as a separate mechanism or mechanisms attached to existing national mechanisms or observatories on violence against women. Her work on the prevention of femicide and other forms of violence against women also fits into the broader context of the gathering and analysis of data on violence against women envisaged in the Sustainable Development Goals, targets and indicators that, for the first time, include the elimination of violence against women as a target for the achievement of gender equality and the empowerment of women.

31. Research on homicide resulting from intimate partner violence makes clear that, almost without exception, women are at greater risk than men and that the majority of women homicide victims are killed by intimate partners who are men. Studies by the United Nations Office on Drugs and Crime (UNODC) also confirm that, in many countries, intimate partner or family-related homicide is the major cause of homicide against women and that their homicide rates are much more likely to be driven by this type of violence than by the organized crime-related

[6] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16796&LangID=E.

homicide typology that disproportionately affects men. In 2012, almost half of all women who were murdered worldwide (47 per cent) were killed by a family member or intimate partner, compared with 6 per cent of homicide victims who were men.[7] As with all forms of intimate partner violence, intimate partner femicide is likely to be significantly undetected and underreported. Prosecutions usually do not integrate a gender perspective. There is a clear need to focus on femicide for the purpose of establishing modalities for a national femicide watch and observatories on violence against women.

32. To assist the Special Rapporteur in defining modalities for the establishment of such mechanisms at the national level, which would, beyond the systematic and detailed recording of femicides, underpin the development of effective measures and strategies needed to prevent femicides, the Centre for Women, Peace and Security at the London School of Economics convened an expert group meeting on femicide on 1 June 2016. It brought together 16 experts from the academic world, civil society organizations and United Nations agencies and bodies with technical and practical expertise and experience in working on violence against women, including on statistics and crime prevention, who discussed recent global and regional initiatives in the area of femicide. The discussion and material shared by the participants informed the present report to a large degree, as did contributions by other experts and United Nations agencies, especially UNODC.

B. Key steps at the intergovernmental level

1. General Assembly resolutions on taking action against the gender-related killing of women and girls

33. In 2013, the Commission on Crime Prevention and Criminal Justice initiated a resolution on the gender-related killing of women that was adopted by the General Assembly (resolution 68/191). For the first time, this issue was placed at the highest level of the international political agenda. It its resolution, the Assembly expressed its deep concern for the alarming proportion of different manifestations of the gender-related killing of women and girls and for their high level of impunity and called for renewed action. It urged Member States to exercise due diligence to prevent and investigate acts of violence against women and eliminate impunity. Recognizing the key role of the criminal justice system in preventing and responding to the gender-related killing of women and girls, the Assembly also invited Member States to strengthen their criminal justice response. Furthermore, it requested the Secretary-General to convene an open-ended intergovernmental expert group meeting to discuss ways and means to more effectively prevent, investigate, prosecute and punish the gender-related killing of women and girls, with a view to making practical recommendations, drawing on current best practices. That expert group meeting, held in Bangkok in November 2014, resulted in a set of recommendations on practical steps against the gender-related killing of women (see UNODC/CCPCJ/EG.8/2014/2), to which the Special Rapporteur provided input.[8]

[7] See UNODC, "Global study on homicide 2013: trends, contexts, data", pp. 49-56.

[8] See also www.ohchr.org/Documents/Issues/Women/WRGS/Gender_related_killing_ebook.pdf. This booklet provides a summary of general information about United Nations support and assistance to counter gender-related killing and offers recommendations on the subject. It builds

34. In 2015, the Secretary-General submitted a report to the General Assembly on action against the gender-related killing of women and girls (A/70/93), in which he reiterated the recommendations made at the expert group meeting. In a second resolution, also initiated by the Commission on Crime Prevention and Criminal Justice and adopted by the General Assembly (resolution 70/176), on taking action against the gender-related killing of women and girls, the Assembly reiterated its call for action by Member States with the support of the United Nations. It noted that one of the every two women victims of homicide was killed by her intimate partner or a family member. The Assembly called upon Member States to strengthen criminal justice responses to the gender-related killing of women and girls; enhance international cooperation and the exchange of good practices in criminal matters related to gender-based violence; promote integrated and comprehensive strategies to prevent the gender-related killing of women and girls, which included early and continuous educational programmes, community mobilization and awareness-raising, in order to counter attitudes and social factors that fostered, justified or tolerated any violence against women and girls; adopt integrated and comprehensive responses to violence against women in order to reduce risks of gender-related killing through a number of listed measures; address impunity and punish perpetrators; provide support for victims; and collect, disaggregate, analyse and report data on the gender-related killing of women and girls, according to the International Classification of Crime for Statistical Purposes endorsed by the Statistical Commission and, where appropriate, to the extent possible, involve civil society, academia, victims' representatives and relevant international organizations. Resolution 70/176 contains stronger language in relation to data collection. In it, the Assembly requested UNODC to prepare an analytical study on the gender-related killing of women and girls at the global level, containing disaggregated data, including from relevant stakeholders, on the phenomenon to illustrate its different forms and patterns.

2. Current data collection on homicide and femicide

35. The case has been repeatedly made that the collection, analysis and sharing of relevant data are crucial for effective and coordinated measures to prevent, investigate and prosecute the gender-related killing of women. To accomplish these goals, detailed data are required to gauge the magnitude and dimensions of the problem, to establish baselines, to identify groups at high risk, to focus intervention and prevention efforts where they are needed most, to monitor changes over time, to assess the effectiveness of interventions and to address the harm to victims of violence (see A/70/93). In this regard, it has been noted that the comparability and availability of precise statistics is key to defining the spectrum of gender-related killing in its various manifestations, causes and consequences (see ibid.).

36. There exist various sources of data and information on gender-related killing. These include administrative records of law enforcement and judicial sources and population-based sources of information, such as victimization, demographic and health surveys to estimate the exposure of women to partner and non-partner

upon the report of the Secretary-General on the outcome of the intergovernmental expert group meeting on gender-related killing of women and girls (E/CN.15/2015/16), the report of the Secretary-General on action against gender-related killing of women and girls (A/70/93) and the report of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/10/16).

violence. Nevertheless, these sources have their limitations, as noted by the Secretary-General (see ibid.).

37. UNODC is leading global efforts to improve and compare crime and criminal justice data. Its report, entitled "Global study on homicide 2013",[9] contains a section on interpersonal homicide. The approach of UNODC is that, given the numerous challenges of comprehensively measuring gender-related violence, exploring intimate partner and family-related homicide is one way of gaining a clearer understanding of the killing of women because of gender motives.[10]

38. The point of departure of UNODC in relation to data on gender-related killings is the International Classification of Crime for Statistical Purposes,[11] endorsed by the Statistical Commission in March 2015 and the Commission on Crime Prevention and Criminal Justice in May 2016. The latter entity established an international statistical standard for data collection, drawn both from administrative records and survey-generated data. The classification adopted does not specify crimes but rather focuses on the motivation behind the crime. In other words, the crime classification framework is based on behavioural descriptions instead of legal codes. Femicide therefore falls under the classification of intentional homicide, namely, unlawful death inflicted upon a person with the intent to cause death or serious injury.[12] Three classification criteria are applied once a particular act of killing is to be classified, which further characterize the intentional homicide and can be used to define it in more detail.[13] These criteria are the situational context, the relationship between victim and perpetrator and the mechanism of killing. Of importance for femicide is that interpersonal homicide, namely, homicide committed by an intimate partner or family member, including a former partner, spouse or family member, other interpersonal homicide (i.e., relating to neighbour or property disputes, revenge-related killings or brawls or mass shootings) and homicide relating to other criminal activities and sociopolitical homicides, fall under the criterion of situational context. Within the additional disaggregation of a relationship between the victim and perpetrator, the intimate partner of a family member and other perpetrators known to the victim and perpetrators unknown to the victim are recorded. Lastly, within the disaggregation of "mechanism of killing", the type of weapon or other means used is recorded.

39. The Special Rapporteur notes that UNODC has embarked, as part of its work to build the evidence base, on the strengthening of United Nations data-collection systems, the development of standards for comparative justice statistics and the development of the "global picture" of gender-related killing. She also notes that UNODC has initiated a process to establish a methodological approach to define each crime classification, including interpersonal homicide, and that discussions in that regard already began at the first global meeting of the focal points of the United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies, in May 2016.

[9] See UNODC, "Global study on homicide 2013: trends, contexts, data", p. 49.
[10] Ibid.", p. 52.
[11] See UNODC, "International classification of crime for statistical purposes: version 1.0" (March 2015). Available from www.unodc.org/documents/data-and-analysis/statistics/crime/ICCS/ICCS_final-2015-March12_FINAL.pdf.
[12] Ibid., p. 33.
[13] Ibid., tables III-V.

3. New opportunity: the 2030 Agenda for Sustainable Development

40. In September 2015, the General Assembly adopted the 2030 Agenda for Sustainable Development (resolution 70/1), which sets out 17 Sustainable Development Goals and 169 targets to be achieved within the coming 15 years. Sustainable Development Goal 5 is to achieve gender equality and empower all women and girls. What is remarkable is that gender equality and women's empowerment are recognized as "a crucial contribution to progress across all the Goals and targets". Goal 5 has nine specific, interrelated and mutually supportive targets that address many important barriers to advancing women's rights and are accompanied by gender-specific targets and indicators across other Goals.[14]

41. Violence against women is specifically addressed in target 5.2 on the elimination of all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation. Two indicators are key: the proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age group (5.2.1) and the proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner, in the previous 12 months, by age group and place of occurrence (5.2.2). Another directly relevant target is 5.3 on the elimination of all harmful practices, such as child, early and forced marriage and female genital mutilation. Two indicators are key for this target: the percentage of women aged 20-24 who were married or in a union before age 15 and before age 18 (5.3.1) and the percentage of girls and women aged 15-49 who have undergone female genital mutilation/cutting, by age group (5.3.2).

42. Target 5.1, on ending all forms of discrimination against all women and girls everywhere, is also extremely relevant for violence against women in the light of the intrinsic connection between it and structural discrimination and inequality.

43. Another relevant Goal for violence against women is Goal 16, to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, in particular target 16.1, to significantly reduce all forms of violence and related death rates everywhere, and target 16.2, to end abuse, exploitation, trafficking and all forms of violence against and torture of children.

44. Goal 11, to make cities and human settlements inclusive, safe, resilient and sustainable, and target 11.2, to provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons, and target 11.7, to provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities, are also directly relevant.

45. A global indicator framework was developed and proposed by the Inter-Agency and Expert Group on Sustainable Development Goal Indicators as a tool to follow up on and review the implementation of the 2030 Agenda. The Statistical

[14] The prioritization of gender equality and women's rights is reflected in most elements of the 2030 Agenda, including the declaration, the Goals, targets and indicators and the follow-up and review.

Commission agreed in March 2016 to use this framework, which includes a total of 230 indicators, as a practical starting point. Mindful that the set of indicators may lack sound methodologies and significant country coverage, the Expert Group intends to regularly update and refine the indicators as they evolve and new forms of technology will allow for better and more complete data collection.

46. The Millennium Development Goals contained no targets or indicators relating to violence. By comparison, the 2030 Agenda contains several targets and indicators on the magnitude of the various forms of violence against women.

47. Gender-based violence is therefore acknowledged in the 2030 Agenda as a major obstacle to social and economic development and to the achievement of the Sustainable Development Goals. Indeed, violence against women undercuts sustainable development by obstructing women's participation in development and undermining the goals of development. The integral connection between violence against women and development is therefore clearly made in the 2030 Agenda.

48. The implementation of the 2030 Agenda provides a new opportunity to accelerate progress in achieving gender equality, the empowerment of women and girls and the elimination of violence against women through, among other things, improving the collection of data on violence against women in general and femicide in particular. The collection of reliable and comparable data is needed to prevent such violence. Data requirements to effectively monitor the Goals for women and girls will be substantial and significant investments and capacity-building will have to be made to fill the data gaps that have been identified.

49. There is an opportunity to improve the data requirements of the Goals, which will also provide an impetus for increased cooperation among the relevant United Nations agencies, namely, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Office of the United Nations High Commissioner for Human Rights and UNODC, but also human rights mechanisms, such as the Special Rapporteur on violence against women, its causes and consequences, the Working Group on the issue of discrimination against women in law and in practice and the Committee on the Elimination of Discrimination against Women.

50. The Special Rapporteur believes that data on femicide should be seen as an important indicator for the elimination of violence against women.

51. The Under-Secretary-General and Executive Director of UN-Women powerfully said at the time of the adoption of the 2030 Agenda:

> Data on their own will not change lives, but we will not change lives without them. With the right metrics and illuminating information, we can inform policies, check on progress and hold leaders accountable if they fall behind on their commitments. We need 2030 to be the point when the lives of girls and women have been changed irreversibly, sustainably and substantively for the better.

52. The message of the 2030 Agenda of leaving no one behind is key to reaching out to the most marginalized women, including women who are victims or at risk of violence, including in its most extreme lethal form.

C. Good practices on femicides and data collection

1. Governmental and non-governmental models for femicide reviews

53. The Special Rapporteur wishes to acknowledge some laudable initiatives by Governments and civil society actors that she encountered while preparing the present report. These initiatives serve as good practices and models for the establishment of femicide reviews and observatories, help to understand the phenomenon of femicide, unpack its causal factors and collect data and can be used as a springboard for action. The initiatives described below are therefore not exhaustive.

54. The Domestic Violence Fatality Review collects data about all domestic violence-related homicides and suicide deaths in Washington State, United States of America.[15] Community review teams examine the events leading up to these deaths and take an in-depth look at how community systems responded to domestic violence. They identify gaps in laws, policy, practice, training and resources and, on that basis, make policy recommendations to strengthen the community response to domestic violence, increase safety and choices for survivors and their children, hold abusers accountable and prevent violence before it begins. In addition to in-depth case reviews, the project collects data on all domestic violence-related homicide and suicide deaths. Its definition of a domestic violence fatality is specific to intimate partner violence and includes homicides by any current or former intimate partner; friends, family, new partners or police officers killed by abusers in the context of intimate partner abuse; abusers killed by victims, police or someone intervening; and suicides of abusers following a domestic violence homicide or assault. The Review combines information about domestic violence fatalities with other state-wide data sources, including death certificates, court records and census data, to produce a rich analysis on a wide range of issues. Examples of its research and data analysis include the connection between domestic violence history and suicide, the disproportionate rates of domestic violence homicide by race, domestic violence homicide victims' past use of child support enforcement and pregnancy rates among victims killed by intimate partners.

55. The femicide census project in the United Kingdom of Great Britain and Northern Ireland[16] began by using social media and blogging and later developed into an advocacy tool for the country to gather statistics in a different manner. It reports on the perpetrators and victims equally and includes a wide range of information about women who have been killed by men. It has relied on support from the private sector for the establishment and maintenance of its website. Information found in the census was gathered initially from a set of names that had been collected since January 2012 and recorded in a blog entitled "Counting dead women".[17] The author of that blog had searched the Internet for news of women who had been killed by men.

56. Those data had been gathered from publicly available sources, in particular media articles, and also included details of the perpetrators and the incident, including the date, names, police force jurisdiction, information about children, the recorded motive and the weapon used. Some of the data are verified, emanating

[15] See https://dvfatalityreview.org/washingtonstatedvfr/.
[16] See www.womensaid.org.uk/what-we-do/campaigning-and-influencing/femicide-census/.
[17] See https://kareningalasmith.com/counting-dead-women/.

from official reports, while other data, from media reports, are unverified. The census records women killed by men under any circumstance, not just intimate partner violence. Data are disaggregated by age, nationality, ethnicity and occupation of both the victim and perpetrator. Information on the health condition of the victim, including whether she was pregnant, and the relationship status with her perpetrator are recorded. This includes whether they were separated and, if so, the time that had elapsed between the actual separation or end of the relationship and the victim's death (from the information analysed, it appears that 53 per cent of intimate partner violence took place within one month of separation), whether the femicide took place in a context of the victim having rejected the perpetrator's advances or was committed in the course of another crime (e.g., high level of killings of older women in the course of burglaries) and any other information that would shed light on the nature of the femicide.

57. For more than 25 years, the Minnesota Coalition for Battered Women has been producing a "femicide report",[18] an annual report on domestic violence homicides in the state. It lists the number of victims of domestic homicide and is compiled from news accounts and information provided by law enforcement agencies, county attorneys, court administrators, battered women's programmes and family members and friends of the victims. The Coalition notes that the murder of women and children of colour, women and children living in poverty, rural women and children, lesbian, bisexual and transgender women and women and children used in prostitution and sex trafficking may be underreported in its listing, given that such crimes are often not reported in the media.

58. An observatory of domestic violence against women and access to justice[19] was established by the Government of Costa Rica in June 2015 to reflect work on the prevention, treatment and punishment of violence against women. It serves as an information platform, presenting the various manifestations of violence against women, and raises awareness of responses to such violations. It also reviews the statistics on violence against women provided by civil society organizations.

59. The Special Rapporteur notes that other categories with regard to the victim that would be valuable to track for such initiatives would be whether she was a woman human rights defender, whether she was homeless, her sexual orientation, whether she was an indigenous woman or girl and the mental health of the perpetrator (e.g., depression or threats to commit suicide).

60. The Special Rapporteur is aware that there are many more initiatives and projects similar to those mentioned above and invites all States and other stakeholders to provide her with examples of good practices in this area.

2. Legislative and policy measures

61. The Latin American Model Protocol for the Investigation of Gender-related Killing of Women[20] offers guidelines for carrying out an effective criminal investigation of gender-related killings, in accordance with the international obligations assumed by States. It is aimed at assisting States in Latin America in

[18] See www.mcbw.org/#!femicide-report/ctod.

[19] See www.poder-judicial.go.cr/observatoriodegenero/quienes-somos/bienvenida/.

[20] Available from www.un.org/en/women/endviolence/pdf/LatinAmericanProtocolForInvestigationOfFemicide.pdf.

complying with due diligence in cases of femicide and in strengthening efforts aimed at ensuring that women enjoy a life free from violence and discrimination. The Model Protocol is based on an emblematic case of femicide brought before the Inter-American Court of Human Rights, known as the "Cotton Field" case (see para. 69 below), the verdict and legal reasoning of which represented significant progress in efforts to combat impunity in relation to femicide in the region, not only as a precedent in case law, but also because it put pressure on States to uphold specific obligations with regard to investigation, punishment and reparation in such cases.[21]

62. Several Latin American countries have already integrated or are working on integrating the Model Protocol into their legal systems and others have expressed an interest in doing so. The key problems that it is intended to address include the impunity relating to omissions and failures in investigations into cases of femicide, the contamination of the crime scene, the culture of discrimination on the part of judges and the high reliance on witness testimony.

63. Under the Model Protocol, femicide is understood as the murder of women because they are women, whether committed within the family, a domestic partnership or any other interpersonal relationship or by anyone in the community, or whether perpetrated or tolerated by the State or its agents.[22] Emphasis is placed on safeguarding the rights of suspects and on improving judicial capacity. Investigations are judged on both methods and results, while the State works towards a transformative reparations. By recognizing that the violence that affects women is determined not only by their sexual and gender status, but also by differences in terms of economic status, culture, age, race, language and religion/cosmogony, it requires an intersectional analysis of the forms of violence that might have affected the femicide victim before, during or after the crime.[23]

64. The Model Protocol identifies behaviour that causes death and other harm, with a motive based on gender, emphasizing the responsibility of the perpetrator and tracking signs and evidence of a history of violence in the perpetrator through, among other things, the health systems and police reports. It highlights the underlying and recurrent problem that "no one connects the dots" before women are killed.

65. Many States in Latin America and the Caribbean have specialized legislation that defines femicide as a specific crime. By 2015, 16 countries in the region had modified their laws to include a specific type of crime referring to the murder of women under the name of femicide or feminicide or as an aggravating circumstance of homicide.[24] The most recent countries to enact femicide laws have been Brazil, in March 2015, and Colombia, in July 2015. These two laws are considered to be model legislation, given that they involve all key line ministries, include prevention measures and, in the case of Brazil, arose from the adoption of the Model Protocol. While legislation on femicide is important, it is not an end in itself. It is necessary to emphasize, as the committee of experts on the follow-up mechanism to the

[21] See www.corteidh.or.cr/docs/casos/articulos/seriec_205_ing.pdf.

[22] UN-Women, Secretary-General's Campaign UNiTE to End Violence against Women and the Office of the United Nations High Commissioner for Human Rights, *Latin American Model Protocol for the Investigation of Gender-related Killing of Women*, p. 14.

[23] Ibid, p. 43.

[24] See http://oig.cepal.org/sites/default/files/noteforequality_17.pdf.

implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women outlines, the need for justice administration bodies to follow up on the implementation of the criminal law and the aggravating circumstances presented therein.

66. The Special Rapporteur is aware that there are many more legislative and policy measures than those mentioned in the present report and invites all States and other stakeholders to provide her with examples of initiatives and measures in this field.

3. Jurisprudence on femicide and a global database

67. At the global level, the Committee on the Elimination of Discrimination against Women had dealt with two cases, *Goekce (deceased) v. Austria* (communication No. 5/2005) and *Yildirim (deceased) v. Austria* (communication No. 6/2005),[25] in which both victims were murdered by their husbands following years of brutal abuse. Even though the violence had been reported to the police and protection orders had been obtained, a lack of coordination among law enforcement and judicial officials resulted in the repeated failure to detain the offenders and ensure the women's safety. Two non-governmental organizations took the cases to the Committee under the Optional Protocol to the Convention on the Elimination of Discrimination against Women. The Committee's decisions on the cases, rendered in 2007, were of global significance because they made clear that the State's obligation to protect women from domestic violence extended beyond passing laws. The Committee found that Austria had failed to act with due diligence by not ensuring that the law had been implemented properly. In response to the Committee's recommendations and the media attention that surrounded the cases, the Government of Austria introduced and accelerated legal reforms to protect women from violence, including an amendment to the Code of Criminal Procedure, new protection measures and the creation of specialized domestic violence prosecutors.

68. At the regional level, in *Opuz v. Turkey*,[26] the European Court of Human Rights decided that Turkey was in breach of the Convention for the Protection of Human Rights and Fundamental Freedoms for failing to protect the applicant and her mother from the violent attacks of her spouse in circumstances that resulted in the murder of the mother.

69. In *Caso González y Otras v. México*[21] (the "Cotton Field" case), the Inter-American Court of Human Rights decided that Mexico had violated the rights, under the Inter-American Convention of Human Rights, of three women who had disappeared and been tortured and murdered. It also found that their mothers' rights under the Convention had been violated. In so doing, the Court recognized that violence against women in the city of Juárez, which had been occurring since 1993, was a structural violation of human rights for which the State was responsible and ordered reparations, including measures of non-repetition, acknowledgement and concrete action in relation to cases since 1993.

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[25] CEDAW/C/39/D/5/2005 and CEDAW/C/39/D/6/2005, respectively.

[26] Available from http://hudoc.echr.coe.int/eng#{"dmdocnumber":["851046"],"itemid":["001-92945"]}.

70. The Supreme Court of Colombia recently passed judgment on how femicide[27] was a gender-related crime and why it should be prosecuted as harshly as possible. In its first-ever case of convicted femicide, it sentenced the perpetrator to 18 years in prison for the brutal murder of his wife on the grounds that the killing had been motivated by his wife's gender.

71. In another landmark ruling,[28] the Supreme Court of Mexico ordered the reopening of the investigation into the suspicious suicide of a women and ordered that it should be reinvestigated "from the perspective" of femicide or the murder of a woman by a man for reasons relating to her gender. The Court declared that it was the "duty of investigative bodies to investigate every violent death of a woman, to determine whether or not this is a case of femicide", thereby affecting countless other cases of unresolved femicides in the country and having implications for all levels of investigation into such crimes.

72. The Special Rapporteur intends to establish an online collection of landmark court cases on femicide. She believes that such rulings provide examples of the application of relevant international, regional and national standards and are useful tools for lawyers, prosecutors and judges working on similar cases.

73. The Special Rapporteur calls upon States, courts, academic institutions and all relevant stakeholders to submit all such cases from regional and national courts that could form a global database on her official website.

74. Recognizing the need for a credible collection of good practice on the prevention of femicide, the Special Rapporteur invites all States and other stakeholders to provide her with examples of good practices on femicide reviews and examples of legislation and jurisprudence that could be used as a good practices by others.

D. Conclusions and recommendations

75. The international human rights framework composed of global and regional instruments on women's rights and violence against women establishes three levels of responsibility on the part of the State to eliminate discrimination and violence against all women including femicides and guarantee women a life free of violence.

76. The first level of responsibility is related to violence perpetrated by the State through its national authorities, which may be in breach of its obligations under international human rights law in general and, in particular, under the Convention on the Elimination of All Forms of Discrimination against Women and general recommendation No. 19 of the Committee on the Elimination of Discrimination against Women. The State obligation is reflected in article 2 (d) of the Convention, which requires that States parties, including their national bodies and agents, refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions act in conformity with this obligation. This obligation includes the duty to ensure that laws, policies, programmes and procedures are not

[27] See www.corteconstitucional.gov.co/RELATORIA/2015/C-022-15.htm.
[28] See www.internet2.scjn.gob.mx/red2/comunicados/noticia.asp?id=3060.

discriminatory against women and that an effective legal framework is in place to address all forms of gender-based violence.

77. The second level of responsibility is related to violence against women perpetrated by non-State actors or private persons in which States parties will be responsible under article 2 (e) of the Convention, which requires them to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise. This level of responsibility requires the adoption and implementation of measures to protect women from gender-based violence committed by non-State actors and obliges States parties to have legal provisions and a system in place to address all forms of violence against women committed by private actors. This obligation of due diligence requires all State agents and bodies to adequately and diligently prevent, investigate, punish and provide remedies for acts of gender-based violence done by private persons. The failure of a State to act with due diligence to prevent acts of violence against women, when its authorities know or should know about the danger of violence, or to investigate and punish such acts constitutes a human rights violation.

78. The third level of responsibility is to empower women and girls by taking measures to ensure the full development and advancement of all women, in particular in the political, economic and cultural fields.

79. The importance of data collection is also broadly recognized in international human rights law, including the Convention on the Elimination of All Forms of Discrimination against Women and the recommendations made by the Committee on the Elimination of Discrimination against Women, which provides a legal basis and practical guidance for the promotion and development of statistics, disaggregated by sex.[29] The Committee explicitly recognized the importance of statistical data to understand the situation of women and recommended that States should ensure that their national statistical services formulated their questionnaires in such a way that data could be disaggregated according to gender. In paragraph 24 (c) of its general recommendation No. 19, the Committee recommended that States parties should encourage the compilation of statistics and research on the extent, causes and effects of violence and on the effectiveness of measures to prevent and deal with violence.

80. At the regional level, article 8 (h) of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women established the agreement by States to take progressively specific measures, including programmes, to ensure research and the gathering of statistics and other relevant information relating to the causes, consequences and frequency of violence against women. Article 11 of the Istanbul Convention established that States parties should undertake to collect disaggregated relevant statistical data on cases of all forms of violence.

81. The Special Rapporteur also recalls General Assembly resolutions 68/191 and 70/176 on taking action against gender-related killing of women and girls. In the latter resolution, the Assembly encouraged Member States to collect,

[29] See Office of the United Nations High Commissioner for Human Rights, "Human rights indicators: a guide to measurement and implementation" (2012), p. 75.

disaggregate, analyse and report data on the gender-related killing of women and girls and to ensure that appropriate punishments for perpetrators of the gender-related killing of women and girls are in place and are proportionate to the gravity of the offence.

1. General recommendations in relation to the prevention of femicide

82. States should undertake to do the following:

(a) Ratify, fully incorporate and accelerate the implementation of relevant international and regional conventions on violence against women and gender equality;

(b) Review and update legislation on violence against women in order to strengthen the prevention of violence against women, the prosecution of perpetrators and the provision of services and compensation for victims of such violence. States should, in particular, repeal all criminal provisions on homicide, femicide and violence against women that include factors, including passion, honour, provocation and violent emotion, that allow perpetrators to escape criminal responsibility for femicide;

(c) Collect and publish data on femicide and other forms of violence against women and establish a femicide watch or observatories on violence against women with such functions;

(d) Cooperate to establish and implement a common methodology for the collection of comparable data and the establishment of a femicide watch;

(e) Provide police and prosecutors with specific expertise on risk assessment and risk management, establish specialized units on violence against women and encourage courts to gain specific expertise on femicide and violence against women.

2. Recommendations on modalities for the establishment of a femicide watch and/or observatory on violence against women

83. The Special Rapporteur recommends the following modalities for the establishment of a national femicide watch and/or observatories on violence against women:

(a) There should be a flexible model for the establishment of a national femicide watch that should depend on the needs and national realities of each State. Where there is no such mechanism, they should be established where there are existing systems and structures for reporting violence against women and incorporated into them;

(b) States should systematically collect relevant disaggregated data on all forms of violence against women, in particular on femicide or the gender-related killing of women, which could include the killing of children in this regard. States should disaggregate data on femicide under two broad categories, which could include subcategories in line with their national realities, namely, intimate partner femicide or family-related femicide, based on a relationship between the victim and the perpetrator, and other femicides;

(c) States should establish a femicide watch or femicide review panels or observatories on violence against women at the global, national or regional level in order to analyse data on femicide and propose concrete measures to prevent such crimes (see A/HRC/32/42, para. 45);

(d) Femicide watch panels should be established as interdisciplinary bodies with the inclusion of legal professionals, ombudspersons and representatives of non-governmental organizations and be connected to or integrated with existing mechanisms on the prevention of violence against women, such as observatories on violence against women and bodies that monitor the implementation of national action plans on violence against women. If the panel is integrated into an existing mechanism, it should be high-profile, for example, as a special unit or project;

(e) Non-governmental organizations or national human rights institutions could establish their own femicide watch reviews panels;

(f) The mandate of femicide watch panels or observatories on violence against women would include systematic analyses of all cases of femicide, including court cases, with the aim of determining gaps in the response system to such violence, the criminal justice system and judicial procedures and of establishing risk factors to prevent such violence and to protect women and girls from femicide;

(g) As far as possible, such femicide reviews should include suicide cases and the killing of children relating to gender-based violence against their mothers;

(h) In every case, the personal information that has been provided by the victims and the family members should be incorporated only into databases with their informed consent with regard to its possible use. This information should be protected in accordance with international standards on the protection of privacy.